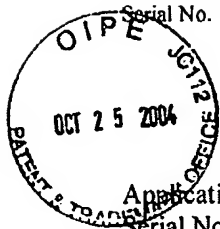


Serial No. 10/016,280



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of : Himmelsbach, F. et al ) Art Unit: 1624  
Serial No. : 10/016,280 ) Examiner: Patel, S.  
Confirmation No. : 7351  
Filed : December 10, 2001  
For : Bicyclic heterocycles, pharmaceutical compositions  
containing these compounds, their use and processes  
for preparing them  
Docket No. : 5/1262

Mail Stop - AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REPLY AFTER FINAL WITH AMENDMENT UNDER 37 U.S.C. § 1.116**

Sir:

In response to the Office Action mailed on April 23, 2004, please consider the remarks and enter the amendments below. Submitted herewith is: (a) a Petition for Extension of Time for three months up to and including October 23, 2004, together with the necessary fee; (b) a Notice of Appeal, with fee; and (c) certified true copies of priority applications Germany 19928281.1 and Germany 10023085.7.

Amendments to the claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 13 of this paper.